

REMARKS

Claims 1-17 and 19-40 are pending with claims 20-40 added by this paper.

Applicants acknowledge the Examiner Siew's time and courtesy during the personal interview of 15 April 2004 with Applicants' representative James E. Ruland. See Interview Summary. No exhibit was shown or demonstration conducted, claims 1 and 20, and EP 0321353 (Lehn) were discussed. Also discussed was an amendment to claim 1 that is depicted above. Below includes a summary of the arguments presented at the interview.

Arguments

Claim rejections Under 35 U.S.C §112, Second Paragraph

Claim 1 has been amended to overcome this rejection. Consequently, Applicants respectfully submit that this rejection should be withdrawn. This amendment was not made to narrow the scope of the claim, but merely remove this ground of rejection by making explicit what is inherent.

Claim Rejections Under 35 U.S.C §102

Claims 1-6, 8-17 and 19 stand rejected as allegedly being anticipated by Lehn. Applicants respectfully traverse these rejections.

Particularly, Lehn fails to teach an oligonucleotide covalently bonded to a cryptate, acting as a labeling agent, where the labeling agent is covalently bonded to a biological molecule. Particularly, this oligo-cryptate-biological molecule can be used as a signaling molecule, e.g., probe. Lehn provides no such teaching. Consequently, Applicants respectfully submit that these rejections should be withdrawn.

Claim Rejections Under 35 U.S.C §103

Claim 7 stands rejected as allegedly being unpatentable over Lehn in view of U.S. Patent No. 5,124,246 (Urdea). Applicants respectfully traverse this rejection.

The teachings of Urdea fail to cure the deficiencies of Lehn. Particularly, the alleged combination fails to teach or suggest an oligonucleotide covalently bonded to a rare-earth metal cryptate, acting as labeling agent, which is in turn covalently bonded to a biological molecule to form a signaling molecule, e.g., a probe. Applicants respectfully submit that even if these references were

allegedly combinable, Lehn and Urdea fail to teach or suggest the present invention. Consequently, Applicants respectfully submit this rejection should be withdrawn.

Claim Support

Support for new claims 20-36 can be found in the present specification at:

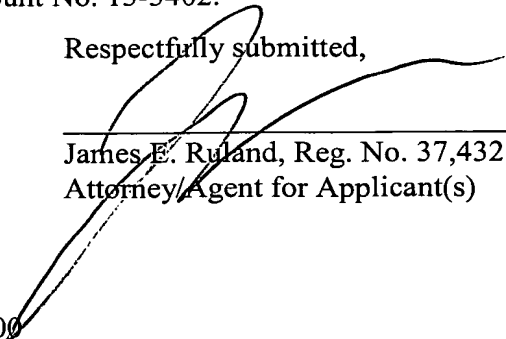
Claim 20	Page 2, lines 29-31, and pages 10-11
Claim 21	Page 11, lines 4-10
Claim 22	Page 3, lines 20-12
Claim 23	Page 3, lines 22-26
Claim 24	Page 5, lines 25-30
Claim 25	Page 5, lines 15-19, and page 10, lines 7-15
Claim 26	Page 5, lines 20-21
Claim 27	Page 5, lines 22-24
Claim 28	Page 5, lines 25-30
Claim 29	Page 10, lines 1-2
Claim 30	Pages 6 - 7
Claim 31	Page 7, lines 3-15
Claim 32	Pages 8 - 9
Claim 33	Page 10, lines 23-29
Claim 34	Page 11, lines 1-3
Claim 35	Page 9, lines 21-22
Claim 36	Page 9, lines 21-22

Support for claims 37-40 can be found at pages 8-11. Additional support can be found in the examples at pages 12-27.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


James E. Ruland, Reg. No. 37,432
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: LOM-0024

Date: June 2, 2004

JER:jqs
K:\LOM\24\Amendment AF 6-1-04.doc